

Members

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Sen. Ron Alting
Sen. Connie Lawson
Sen. Billie Breaux
Sen. Earline Rogers
Sen. Connie Sipes
Rep. Greg Porter
Rep. Duane Cheney
Rep. Denny Oxley
Rep. Robert Behning
Rep. Robert Hoffman
Rep. Sue Scholer



INTERIM STUDY COMMITTEE ON EDUCATION ISSUES

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MEETING MINUTES¹

Meeting Date: September 20, 2001
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington St.,
Room 233
Meeting City: Indianapolis, Indiana
Meeting Number: 3

Members Present: Sen. Teresa Lubbers, Chairperson; Sen. Ron Alting; Sen. Billie Breaux; Sen. Earline Rogers; Sen. Connie Sipes; Rep. Duane Cheney; Rep. Denny Oxley; Rep. Robert Behning; Rep. Robert Hoffman.

Members Absent: Sen. Connie Lawson; Rep. Greg Porter; Rep. Sue Scholer.

Chairperson Teresa Lubbers called the third meeting of the Interim Study Committee on Education to order at 10:11 a.m.

Special Education Cooperative System

Amy Cook Lurvey, COVOH Inc.

Ms. Amy Cook Lurvey provided the Committee with a historical description of her involvement in Indiana's special education system. In 1967 she served on an interim study committee studying issues relating to handicapped individuals. The current special education cooperative system was subsequently developed in the 1970s. It is not her desire to abolish the cooperative system, but after about 30 years she thought the system should be reviewed. She asked Senator Lubbers to offer a Senate resolution requesting the legislative review of the special education coop system. The assessment and accountability system being implemented statewide definitely impacts schools that operate a special education cooperative.

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

Robert Marra, Director of Special Education for Department of Education

Mr. Robert Marra reviewed the history of special education in Indiana. The first special education programs established in Indiana were the Schools for the Blind and Deaf in 1840. The State Board of Education rule, S-1, governing the state's special education programs was approved in 1971 and implemented in 1973.

Mr. Marra reviewed the legislation that established or authorized his position with the Department of Education. He is appointed by the Governor with the recommendation of the Superintendent of Public Instruction. He has general supervisory authority over all programs, classes, and schools, including those conducted by the public schools, the Indiana School for the Blind, the Indiana School for the Deaf, the Department of Corrections, the State Department of Health, the Division of Disability, Aging, and Rehabilitative Services, and the Division of Mental Health and Addiction, for children with disabilities. He is also required to coordinate the work of these schools. His general supervisory authority does not include the determination of admission standards by state departments, boards, or agencies.

Mr. Marra provided the committee with information on the number of children served in the state between ages 3 and 21. About 155,206 students, 15.6% of the school population, receive special education services. The percentage of incidences varies from 9.8% to about 23% among local school corporations. The two largest special education categories are learning disabled consisting of 59,421 students, and communication handicapped consisting of 47,147 students. The process used to identify special education students was reviewed by Mr. Marra. A case conference is required to develop the individual education profile for students that qualify for special education services.

Mr. Marra explained that Indiana special education system consists of 66 special education planning districts. There are 18 individual school corporation planning districts, 35 joint service and supply planning districts, 12 interlocal planning districts, and one special education cooperative planning district. An Individual school corporation planning district serves the students within the school corporation boundaries and is responsible for hiring personnel and administering the special education program. A joint service and supply planning district is a group of schools that join together to provide special education services collectively. One school, generally the largest, will serve as the local education authority. They will hire personnel and do the administrative work necessary for the cooperative. An interlocal planning district is also a group of schools that join together to provide services, but the hiring of personnel and the administrative function is done by the cooperative and not one of the participating schools. The last type of planning district is the special education cooperative. A group of schools in northwest Indiana formed a coop before the legislation was developed for the other type of planning districts. It is similar to an interlocal but was retained as a separate type of planning district. The state legislation leaves the method of funding the planning district up to the member schools. Member schools might pay on an enrollment basis, on a services provided basis, or some other method. The applicable funding method is prescribed in the contract establishing the cooperative.

Mr. Marra recommended that the Committee look at ways local schools could access current program funding from agencies other than the Department of Education. The decision to participate in the program should be a local school decision, but the program should be made available to local schools. Sometimes students have to go to other locations to access services that could be offered by the local school. One example he cited was to allow schools to access First Steps program funding to provide programs for children ages 0-3.

The Committee asked about the problems associated with special education students taking the ISTEP test because it sometimes appears the test does "more harm than the good". Mr.

Marra responded that it is important that all students have access to the school curriculum and not have separate standards. Instruction is the key. Mr. Marra stated that about 90% of the special education students fall within the normal range of intelligence. If the students are not taught the material, then they will probably fail. The case conference committee makes the decision on whether the ISTEP test is appropriate for the student on an individual basis.

The Committee asked if there was a rule or policy on what the discrepancy between achievement and intelligence should be in order to classify a student as learning disabled. Mr. Marra responded that in the 1980s there was a guideline that there needed to be an 18-point discrepancy, but it is not currently a part of any Department of Education rule or guideline.

Sally Sloan, Indiana Federation of Teachers

Ms. Sally Sloan, representing the teachers in the Northwest Indiana Special Education Cooperative, stated that the coop serves more students and provides more services that could be provided by individual schools.

Bill Dreibelbis, Indiana Council of Administrators for Special Education

Mr. Bill Dreibelbis represents the special education administrators. At his coop they have worked to decentralize services. Each school has a local director that focuses on providing services to students. He, as the director of the coop, processes most of the administrative paperwork required by the Department of Education and the federal government. His coop has spent a lot of time and money on staff development.

The Committee asked if he tracks the success of students on ISTEP. Mr. Dreibelbis responded that the coop reports the performance in the continuous improvement plan. The Committee requested Mr. Marra to provide a copy of the summary of ISTEP scores by exceptionality.

The Committee asked if nonspecial education students could be helped if they had access to the same trained professionals as the special education students. Mr. Dreibelbis responded that the special education students can provide incidental benefit to other students. If a trained special education person is in the class, they can also provide assistance to other students, but their primary duty is to the special education student.

Amy Cook Lurvey, COVOH Inc.

Ms. Amy Cook Lurvey told the Committee that the picture may not be as rosy as has been presented. Mr. Marra and the special education directors are doing a good job, but a lot remains to be done. The standards are not in place for all special education students, and many students have not received the instruction necessary to pass the ISTEP test. That is the reason the waiver process was developed.

Ms. Lurvey stated that about 1/3 of the coops have not changed in the last decade. The education system has changed so quickly that it needs to be reviewed and studied.

Marilyn Edwards, Indiana State Teachers Association

Ms. Marilyn Edwards stated that there is still an issue of responsibility when special education students and staff are part of the regular classroom. The issue unfortunately sometimes becomes "my kids and our kids" between the regular classroom teacher and the special education professionals. People need to work cooperatively to serve the student's needs. She also stated that there needs to be more professional development for all public teachers.

Frank Bush, School Boards Association

Mr. Frank Bush stated that his organization supports the coop system. He requested that the Committee think of the regular classroom teacher that may have 24 students including 5 special education students. Mr Bush told the Committee that it may be advisable to allow the regular teacher the right to refuse admission to the class if adequate resources are not available in the classroom for the special education students. The teacher may not have the resources needed to meet the students' needs. He stated that there is nothing wrong with the students taking the ISTEP test, but a problem may occur if a school is labeled as failing due to the ISTEP scores of a select group.

Dr. June R. Gaktrot, Instructional Services

Dr. June R. Gaktrot provided the Committee with an example of a special education student placed in a regular classroom without adequate resources.

Chairperson Lubbers told the Committee that she did not believe they could address many of the issues raised because they are determined locally in the coop organization agreement. She expressed interest in Mr. Marra's concept of using money from existing sources to offer better services in local schools.

The Committee was adjourned at 11:45 a.m.